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<b>Phone:</b>	703-308-0198	<b>Date:</b>	October 2, 2003
<b>Your Ref.:</b> 09/485,187		<b>Our Ref.:</b> 0147-0191P	
<b>Re:</b>	Notice of Appeal from the Primary Examiner to the Board of Appeals	<b>CC:</b>	

**Urgent**    **For Review**    **Please Comment**    **Please Reply**    **Please Recycle**

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**• Comments:**

Please find attached the Notice of Appeal from the Primary Examiner to the Board of Appeals in connection with the above-identified application.

MS AF  
RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1638

PATENT  
0147-0191P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Marion KWART et al. Conf.: 1628  
Appl. No.: 09/485,187 Group: 1638  
Filed: June 26, 2000 Examiner: A. KUBELIK  
For: PROCESSES FOR INCREASING THE YIELD IN  
PLANTS

NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

October 2, 2003

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated April 3, 2003 of the Primary Examiner finally rejecting claims 1-3, 5, 8-13, 16-25 and 27-36.

The enclosed document is being transmitted via facsimile.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$0.00 is required for the full period of the above-requested extension of time.

An extension of one (1) month(s) for responding to the Final Rejection was previously requested and paid for on August 4, 2003. Thus a fee of \$840.00 is required to obtain an additional two (2) month(s) for filing the Notice of Appeal.

Appl. No. 09/485,187

Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

Large entity - \$330.00  
 Small Entity - \$165.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$1,170.00.

Payment of the above TOTAL FEE is being made in the following manner:

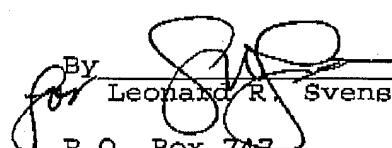
Check(s) in the amount of \$0.00 is/are enclosed.  
 Please charge Deposit Account No. 02-2448 in the amount of \$1,170.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

#47,604

By   
for Leonard R. Svensson, #30,330  
P.O. Box 747  
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(Rev. 09/30/03)

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On October 2, 2003

For Paula

Sandra B. Pauls

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